

**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF WEST VIRGINIA**

**FILED**

**APR 16 2019**

**U.S. DISTRICT COURT  
ELKINS WV 26241**

**UNITED STATES OF AMERICA,**

**v.**

**JAMIE ALLEN BUTCHER, and,  
DANIELLE LYNN MCCARTY,**

**Defendants.**

**Criminal No.**

2:19cr16

**Violations:**

**18 U.S.C. § 2  
18 U.S.C. § 922(g)(1)  
18 U.S.C. § 922(g)(8)  
18 U.S.C. § 922(j)  
18 U.S.C. § 924(a)(2)**

**INDICTMENT**

The Grand Jury charges that:

**COUNT ONE**

**(Aiding and Abetting Possession of a Stolen Firearm)**

On or about June 1, 2018, in Lewis County, in the Northern District of West Virginia, defendants **JAMIE ALLEN BUTCHER** and **DANIELLE LYNN MCCARTY**, aided and abetted by each other, did knowingly possess a stolen firearm, that is a Hi Point, model JHP, .45 caliber pistol, serial number X4317181, which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe that the firearm was stolen; in violation of Title 18, United States Code, Sections 2, 922(j) and 924(a)(2).

**COUNT TWO**

**(Unlawful Possession of a Firearm)**

On or about June 1, 2018, in Lewis County, in the Northern District of West Virginia, defendant **JAMIE ALLEN BUTCHER**, having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, that is Third Offense Driving Under the Influence of Alcohol and Third Offense Driving While License Revoked for Driving Under the Influence of Alcohol, in the Circuit Court of Lewis County, West Virginia, in case number 01-F-26, on February 11, 2002; Uttering, in the Circuit Court of Lewis County, West Virginia, in case number 01-F-40, on February 11, 2002; Uttering, in the Circuit Court of Lewis County, West Virginia, in case number 02-F-21, on February 4, 2003; Burglary, in the Circuit Court of Taylor County, West Virginia, in case number 09-F-30, on July 14, 2009; Forgery, in the Circuit Court of Harrison County, West Virginia, in case number 09-F-217-3, on November 5, 2009; and, Escape From Work Release Center, in the Circuit Court of Cabell County, West Virginia, in case number 15-F-348, on December 15, 2015; did knowingly possess in and affecting interstate commerce a firearm, that is a Hi Point, model JHP, .45 caliber pistol, serial number X4317181; in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

**COUNT THREE**

**(Unlawful Possession of a Firearm)**

On or about June 1, 2018, in Lewis County, in the Northern District of West Virginia, defendant **DANIELLE LYNN MCCARTY**, who was subject to a court order, issued by the Family Court of Taylor County, West Virginia, on April 10, 2018, in case number 18-DV-20, after a hearing for which she received actual notice, at which she had an opportunity to participate, restraining her from harassing, stalking, and threatening an intimate partner; and restraining her from engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner; and, by its terms explicitly prohibiting the use, attempted use or threatened use of physical force against such intimate partner that would reasonably be expected to cause bodily injury; did knowingly possess in and affecting interstate commerce a firearm, that is a Hi Point, model JHP, .45 caliber pistol, serial number X4317181, said firearm having been shipped and transported in interstate commerce; in violation of Title 18, United States Code, Sections 922(g)(8) and 924(a)(2).

A true bill,

/s/  
Grand Jury Foreperson

/s/  
**WILLIAM J. POWELL**  
United States Attorney

Brandon S. Flower  
Assistant United States Attorney